

## **REMARKS**

Claims 1-18 are pending in this Application. Claim 1-3 and 6-18 stand rejected under 35 U.S.C. § 102(e) and claims 4-5 stand rejected under 35 U.S.C. § 103. Claims 1, 10, 14 and 16 have been amended. Applicants respectfully request reconsideration of the pending claims 1-18 in light of the amendments following remarks.

### **Rejection of Claims 1-3 and 6-8 under 35 U.S.C. § 102(e) and Claims 4-5 under 35 U.S.C. § 103**

The Office Action rejected Claims 1-3 and 6-18 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,223,143 to Weinstock et al. ("Weinstock"), and claims 4-5 under 35 U.S.C. § 103 as being unpatentable over Weinstock in view of Consulting Services.

Claim 1, 10 and 14, as amended, recite, among other limitations, identifying "one or more control procedures as a means for mitigating "risks (claims 1 and 14) or subrisks (claim 10). Claim 16 recites a processor programmed to receive a "signal identifying one or more control procedures," the control procedures "comprising a means to mitigate [a] risk element.

As Applicants argued in their prior Response, Weinstocks does not teach or disclose identifying control procedures which are deemed as a means to mitigate risk. The Office Action rejected Applicants' argument, noting "that the features upon which applicant [relies] are not recited in the rejected claims." (OA ¶3) Claims 1, 10, 14 and 16 have been amended to clearly recite this feature and are, accordingly, believed to be patentable over the prior art made of record.

Claims 2-9 are dependent (directly or indirectly) on claim 1; claims 11-13 are dependent (directly or indirectly) on claim 10; claim 15 is dependent from claim 14; and claims 17-18 are dependent on claim 16, and are believed patentable, among other reasons, by virtue of such dependency.

## **SUMMARY**

Applicants have amended the claims to overcome the 35 U.S.C. § 102(e) and § 103 rejections. In view of the forgoing supporting remarks and amendments, Applicants respectfully request allowance of pending claims 1-18.

If the Examiner wishes to direct any questions concerning this application to the undersigned Applicants' representative, please call the number indicated below.

Dated: September 2, 2003

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew Strobert', written over a horizontal line.

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